

KEVIN V. RYAN, CSBN 118321
 United States Attorney
 JOANN M. SWANSON, CSBN 88143
 Assistant United States Attorney
 Chief, Civil Division
 EDWARD A. OLSEN, CSBN 214150
 Assistant United States Attorney
 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102
 Telephone: (415) 436-6915
 FAX: (415) 436-7169

Attorneys for Defendants

FILED

DEC 06 2005

RICHARD W. WIEKING
 CLERK U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

SHUI MING XU,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
 Department of Homeland Security;
 EDUARDO AGUIRRE, Director, U.S.
 Citizenship and Immigration Services;
 JEANETTE CHU, Officer-in-Charge,
 Department of Homeland Security,
 Immigration Office at the American
 Embassy Beijing; CONDOLEEZA RICE,
 Secretary of State; JOHN DANIEL
 MORRIS, Consular Section Chief,
 American Embassy Beijing,

Defendants.

No. C-05-3012-MJJ

**STIPULATION TO EXTEND DEADLINE
 FOR ANSWER**

Plaintiff, by and through their attorneys of record, and defendants, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to a second extension of time within which the defendants must serve their answer to the complaint in the above-entitled action in light of the fact that this case may be resolved administratively. The defendants will serve their answer on or before December 27, 2005.

STIPULATION TO EXTEND ANSWER DATE
 C 05-3012-MJJ

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5 Date: November 23, 2005

Respectfully submitted,

6 KEVIN V. RYAN
7 United States Attorney

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9 /s/
10 EDWARD A. OLSEN¹
11 Assistant United States Attorney
12 Attorneys for Defendants

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14 Date: November 23, 2005

15 /s/
16 JUSTIN WANG
17 Baughman & Wang
18 Attorneys for Plaintiff

19 **ORDER**

20 Pursuant to stipulation, IT IS SO ORDERED.

21 Date: 12/2/05

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23 MARTIN J. JENKINS
24 United States District Judge

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28 ¹I, Edward A. Olsen, attest that both Attorney Justin Wang and I have signed this stipulation and will produce the original signed copies upon request.

STIPULATION TO EXTEND ANSWER DATE
C 05-3012-MJJ